

Exhibit C

From: Sean Kirwin

Sent: Mon, 20 May 2019 09:20:58

To: afurness@fnlawfirm.com; mccarley@fnlawfirm.com; jgallentine@beusgilbert.com; karin.scheehle@gknet.com; Marilyn Wass; mocomor@beusgilbert.com

Cc: FILTER PPF PFS; Richard North

Subject: Jimmy Phillips v. C. R. Bard, Inc., et al., Case No. MDL-15-02641PHX-DGC - Letter Requesting Voluntary Dismissal

Sensitivity: Normal

Attachments:

[Bard Filter MDL - Letter Requesting Dismissal of Jimmy Phillips Complain....pdf](#) 

Dear Counsel:

Please see the attached correspondence in the above-referenced case. Hardcopies are being sent to your respective offices via U.S. Mail.

Kind regards,
Sean



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May 20, 2019

VIA EMAIL AND U.S. MAIL

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**Re: Voluntary Dismissal of *Jimmy Phillips v. C. R. Bard, Inc., et al.*, Civil
Action No.: MDL-15-02641-PHX-DGC (United States District Court for
the District of Arizona)**

Dear Counsel,

This firm represents C. R. Bard, Inc. and Bard Peripheral Vascular, Inc. in the above-referenced civil action. You filed a complaint in the MDL on behalf of Jimmy Phillips ("your client") on April 18, 2017. We also received your client's Plaintiff Profile Form ("PPF").

We note that an investigation undertaken by the defendants has revealed that your client died before the complaint was filed. According to the PPF filed on his behalf, your client passed away on December 2, 2016. The complaint was filed in his name about four months later, however, on April 18, 2017. As we are sure you are aware, the Court dismissed a very similar case on May 31, 2016, reasoning that a complaint filed in the name of a deceased party is a legal nullity. (ECF No. 1978).

BEUS GILBERT, PLLC
LOPEZ McHUGH, LLP
FEARS NACHAWATI LAW FIRM
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Because the complaint filed in the name of your deceased client is a legal nullity, we ask that you dismiss it. If you will not voluntarily dismiss this case, we will file a motion to dismiss it and seek sanctions in connection with the motion. Please file the appropriate documents with the court at your earliest convenience, but no later than 30 days from the date of this letter.

Sincerely yours,

A handwritten signature in blue ink, appearing to be "SK", with a long horizontal line extending to the right.

Sean M. Kirwin

***Attorney for C.R. Bard, Inc. and
Bard Peripheral Vascular, Inc.***